

DEMETRAS LAW  
J. Craig Demetras  
Nevada Bar. No. 4246  
230 E. Liberty Street  
Reno, NV 89501  
(Telephone): 775-348-4600  
jcd@demetraslaw.com  
mail@demetraslaw.com  
Attorney for Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

IN RE

PHILIP ANDREW MACKEN,  
Debtor

BK-N-23-50950-HLB

Chapter 13

**JOINT EXPARTE APPLICATION  
FOR ORDER APPROVING  
STIPULATION REGARDING  
PROPOSED AMENDMENT TO  
SCHEDULING ORDER AND  
PENDING DISCOVERY RE  
DEBTOR'S OBJECTION TO  
CLAIM 9 (DOC. 73)**

The parties, by and through their undersigned counsel, hereby move the Court for an Order Approving the Stipulation Regarding Proposed Amendment to Scheduling Order and Pending Discovery re Debtor's Objection to Claim 9 (Doc. 73) attached hereto as Exhibit "A."

DATED this 14<sup>th</sup> day of May, 2025.

DEMETRAS LAW  
/s/ J. Craig Demetras  
By: J. CRAIG DEMETRAS

UNITED STATES  
/s/ Patrick R. Burnett  
By: PATRICK R. BURNETT

EXHIBIT “A”

EXHIBIT “A”

IN THE UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

PHILIP ANDREW MACKEN,  
Debtor.

Case No. 23-50950-HLB

Chapter 13

**STIPULATION REGARDING  
PROPOSED AMENDMENT TO  
SCHEDULING ORDER AND PENDING  
DISCOVERY RE DEBTOR'S  
OBJECTION TO CLAIM 9 (DOC. 73)**

Judge: The Honorable Hilary L. Barnes

On May 13, 2025, counsel for the United States and counsel for Debtor Andrew Philip Macken and his wife, Dolores Webb Macken, met and conferred regarding Mr. Macken's pending Motion to Extend Discovery to Allow Debtor to Produce an Expert Report. (Doc. 174.) In light of counsels' negotiations and respective discussions with their clients, the parties hereby file this stipulation regarding a proposed amendment to the Scheduling Order and pending discovery deadlines and move this Court to adopt the following Stipulation:

1. The Mackens agree that the anticipated proceeds due to Mrs. Macken from the probate matter *In re General William Mills*, Case No. PB-2024-00004, Pawnee County, Oklahoma District Court, will be paid directly to the United States in partial satisfaction of the Proof of Claim at issue. The Mackens will ensure that the required documentation will be filed with the probate court needed to secure such payment.
2. With the Court's permission, the parties will reopen discovery for a period of six months with the below proposed deadlines. The parties will not move for any

discovery extensions absent extraordinary circumstances. The discovery may include re-opening the depositions of Philip Macken and Dolores Webb Macken.

3. Mr. Macken will withdraw the pending Motion to Extend Discovery to Allow Debtor to Produce an Expert Report. (Doc. 174.)
4. Mr. Macken will amend his Schedule A/B to disclose all ownership interests in non-publicly traded stock and interests in incorporated and unincorporated businesses, including but not limited to RPM Consulting Group, LLC and Majestic Mountain View Ranch, Inc.
5. Mr. Macken agrees that the deadline for the United States to respond to his first set of interrogatories and requests for production currently set for May 16, 2025 is extended to June 13, 2025.
6. The deposition of Revenue Agent Benjamin Hamilton currently set for May 20, 2025 will be continued to an undetermined later date.

In conjunction with the above stipulation, the parties also move this Court to vacate its previous scheduling order in this matter (Doc. 173) and to adopt a modified scheduling order, as follows:

Deadline to disclose expert: August 8, 2025.

Deadline to disclose rebuttal expert: September 30, 2025.

Deadline for the Parties to issue written discovery: October 10, 2025.

Close of Discovery: November 10, 2025.

Deadline to file dispositive motions: December 9, 2025.

The currently scheduled settlement conference before Judge Jaime set for July 17, 2025 is vacated.

The currently scheduled status hearing set for August 5, 2025 is vacated.

The parties will request the Court to set a status hearing at the Court's convenience after the close of discovery on November 10, 2025.

At the status hearing, the parties will request the Court to set a mandatory settlement

1 conference, trial date, and pre-trial deadlines.

2  
3 Dated: May 14, 2025

/s/ Patrick Burnett  
PATRICK R. BURNETT  
Trial Attorney, Tax Division  
U.S. Department of Justice  
P.O. Box 683  
Washington, D.C. 20044

7 *Counsel for the United States*

8 Dated: May 14, 2025

/s/ J. Craig Demetras  
JAMES CRAIG DEMETRAS  
Demetras Law  
230 East Liberty St.  
Reno, NV 89501  
(775) 348-4600  
jcd@demetraslaw.com

13 *Counsel for Philip and Dolores Macken*

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Demetras Law and that on May 14, 2025, the foregoing document was served via ECF automated system to all ECF registered parties existing in this case.

Dated: May 14, 2025.

/s/ Julie Ann Raum  
Employee of Demetras Law